

## LEGISLATIVE COMMITTEES – JULY 2017

### NOTES

EXECUTIVE OFFICES AND CRIMINAL JUSTICE APPROPRIATIONS SUBCOMMITTEE	
<b>Bill Title/Subject Matter:</b>	<b>Fiscal Note and Budget Item Follow-up Report</b>
Legislator(s) – Sponsor:	<b>Committee Presentation</b>
Interested Parties:	
Code Reference:	
<p><b>Description:</b> This report follows up on selected fiscal notes and budget actions from past legislative sessions. It assesses past estimates of cost, time, and output made by agencies, advocates, and the Legislative Fiscal Analyst depending upon the item. The goal of the report is to improve the accuracy of similar estimates in future sessions and to identify other budget recommendations, such as rescission of unused funds. The analyst explains the report and reviews several of the bills included in the report. Appendix A of the report outlines the guidelines used for scoring. This report includes</p> <p><b>Meeting Materials:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">3-Issue Brief - 2017 Interim - Fiscal Note and Budget Item Follow-up Report - All Subcommittees</a></li> </ul> <p><b>Audio:</b> <a href="http://utahlegislature.granicus.com/MediaPlayer.php?view_id=2&amp;clip_id=21742">http://utahlegislature.granicus.com/MediaPlayer.php?view_id=2&amp;clip_id=21742</a></p> <ul style="list-style-type: none"> <li>• Fiscal Note and Budget Item Follow-up Report</li> </ul> <p><i>[Action: No action was taken, information only.]</i></p>	
<b>Bill Title/Subject Matter:</b>	<b>Budget Deep Dive – Jail Reimbursement</b>
Legislator(s) – Sponsor:	<b>Committee Presentation</b>
Interested Parties:	
Code Reference:	<b>U.C.A. §64-13-104</b>
<p><b>Description:</b> The Committee discussed what the Driver License Division and the Jail Reimbursement Program.</p> <ul style="list-style-type: none"> <li>• Driver License Division Agenda – Analyst Gary Syphus reviews the following using a fifteen page PowerPoint: <ul style="list-style-type: none"> <li>○ What are we trying to accomplish</li> <li>○ How is the DLD organized</li> <li>○ What are we buying</li> <li>○ How are we paying for it</li> <li>○ Are there immediate/future needs?</li> <li>○ Budget options</li> </ul> </li> <li>Recommendations from LFA: <ul style="list-style-type: none"> <li>○ DLD generate a measure/measures to know if overall public safety is improved <ul style="list-style-type: none"> <li>Examples: <ol style="list-style-type: none"> <li>1. Fatalities as a % of licensed drivers</li> <li>2. Fatalities as a % of collisions</li> </ol> </li> </ul> </li> <li>○ DLD generate a measure/measures capturing costs to produce specific units <ul style="list-style-type: none"> <li>Examples: <ol style="list-style-type: none"> <li>1. Cost per licensed driver/ID/etc.</li> <li>2. Governance and finance cost/licensed driver</li> <li>3. Records cost/licensed driver</li> </ol> </li> </ul> </li> </ul> </li> <li>• Jail Reimbursement Program (continued from the June 20th meeting) Sen. Thatcher summarizes the</li> </ul>	

information in the interest of time.

- Understanding Jail Reimbursement vs. Jail Contracting
- Current funding mechanism
- Options for funding

Analyst Alex Wilson's information includes detailed information and highlights important questions to ask about Jail Reimbursement:

- Are jailing costs being assigned appropriately?
- Is one government entity subsidizing another or is it a shared responsibility?
- Should the legislature set the rate at 50%? If so, should they appropriate to the statutory rate?
- Does the current structure of Jail Reimbursement create any negative consequences/incentives?
- What would happen if Jail Reimbursement ceased to exist?
- What if the state, or conversely counties, were to assume all costs for Jail Reimbursement?
- Is there an aspect of Jail Reimbursement that you would like to see measured?

#### Meeting Materials:

- [Budget Deep Dive - Driver License Division](#)
- [Drivers License Division \(DLD\) Five Year Plan - 2016](#)
- [10 Year Immediate Anticipated Operational Needs - July 26, 2017](#)
- [Jail Reimbursement Deep Dive - July 26, 2017](#)
- [Condition of Probation \(COB\) Bed Days - July 26, 2017](#)
- [72-Hour Hold Beds - July 26, 2017](#)
- [Sanction Bed Days - July 26, 2017](#)
- [A Performance Audit of Utah's Jail Reimbursement Program](#)
- [Utah Communications Authority - 2017 Strategic Plan - March 14, 2017](#)

Audio: [http://utahlegislature.granicus.com/MediaPlayer.php?view\\_id=2&clip\\_id=21742](http://utahlegislature.granicus.com/MediaPlayer.php?view_id=2&clip_id=21742)

- Budget Deep Dive - Jail Reimbursement
- Driver License Division (DLD) Five Year Plan - 2016
- Utah Communications Authority - Strategic Plan
- Utah Communications Authority - 2017 Strategic Plan - March 14, 2017
- Budget Deep Dive - Jail Reimbursement
- Jail Reimbursement Deep Dive - July 26, 2017
- Condition of Probation (COB) Bed Days - July 26, 2017
- 72-Hour Hold Beds - July 26, 2017

*[Action: No action was taken, information only.]*

<b>Bill Title/Subject Matter:</b>	<b>Utah Communications Authority Strategic Plan 2017</b>
<b>Legislator(s) –Sponsor:</b>	<b>Committee Presentation</b>
<b>Interested Parties:</b>	<b>Chris Caras, Director of Driver License Division for the Utah Department of Public Safety</b>
<b>Code Reference:</b>	

**Description:** In 2016, the UCA Board conducted a planning retreat to discuss the strengths, weaknesses, opportunities and challenges of the Authority and to identify the needs of the organization going forward. This report outlines the agencies vision regarding a public safety communications network.

#### Meeting Materials:

- [Utah Communications Authority - 2017 Strategic Plan - March 14, 2017](#)

Audio: [http://utahlegislature.granicus.com/MediaPlayer.php?view\\_id=2&clip\\_id=21742](http://utahlegislature.granicus.com/MediaPlayer.php?view_id=2&clip_id=21742)

- Utah Communications Authority - Strategic Plan

*[Action: No action was taken, information only.]*

#### ADMINISTRATIVE RULES REVIEW COMMITTEE

<b>Bill Title/Subject Matter:</b>	<b>Deadlines Related to the Driver License Division's DUI and Drug Hearing Process</b>
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Legislator(s) –Sponsor:	
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Interested Parties:	<b>Chris Caras, Director, Driver License Division</b> <b>Tara Zamora, Records Bureau Chief, Driver License Division</b>
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Code Reference:	
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**Description:** The Committee discussed the 29-day deadline of the Driver License DUI/Drug hearing process. At times, the deadline has been found insufficient. The Division has plans to expedite the process through automation. This automation could be accomplished within 12-18 months once funded. The Division was encouraged by the Committee to request the appropriate funding to make the changes to meet the deadline.

**Meeting Materials:**

- [Driver License DUI/Drug Hearing Process, Prepared by the Driver License Division](#)
- [Statutes and Rules Related to DUI and Drug Hearing Process: Supplement to Driver License Division Handout Addressing the Process](#)

**Audio:** [http://utahlegislature.granicus.com/MediaPlayer.php?view\\_id=2&clip\\_id=21754](http://utahlegislature.granicus.com/MediaPlayer.php?view_id=2&clip_id=21754)

- Deadlines Related to the Driver License Division's DUI and Drug Hearing Process

*[Action: No action was taken, information only.]*

#### COMMISSION FOR THE STEWARDSHIP OF PUBLIC LANDS

<b>Bill Title/Subject Matter:</b>	<b>Law Enforcement Jurisdiction on Public Land</b>
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Legislator(s) –Sponsor:	
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Interested Parties:	<b>Lincoln Shurtz, Utah Association of Counties</b> <b>Tony Rampton, Utah Attorney General's Office</b> <b>Mark Ward, President, Balance Resources</b>
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Code Reference:	
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**Description:** The committee discussed law enforcement jurisdiction on Utah's public land. The Utah Association of Counties and the Attorney General's Office suggested that local and federal law enforcement should come together and devise guidelines for law enforcement on these lands—clarifying responsibilities. For pragmatic reasons, UAC suggested that this collaboration occur while the state pursues the question of jurisdiction. Tony Rampton spoke to the Committee. The Attorney General's Office will produce, for the committee, an opinion interpreting current law regarding this issue. Some committee members questioned whether state jurisdiction was in question, and given this, whether collaboration should be pursued.

**Meeting Materials:**

- [Health, Safety, Welfare Jurisdiction \(Ivory\)](#)
- [Report to Constitutional Defense Council \(Ward\)](#)
- [2014 General Session, H.B. 149 "Amendments to Federal Law Enforcement Limitations" \(Ward\)](#)
- [2013 General Session, H.B. 155 "Federal Law Enforcement Amendments" \(Ward\)](#)

**Audio:** [http://utahlegislature.granicus.com/MediaPlayer.php?view\\_id=2&clip\\_id=21750](http://utahlegislature.granicus.com/MediaPlayer.php?view_id=2&clip_id=21750)

- Law Enforcement Jurisdiction on Public Land
- 2013 General Session, H.B. 155 "Federal Law Enforcement Amendments" (Ward)

- 2014 General Session, H.B. 149 "Amendments to Federal Law Enforcement Limitations" (Ward)

***[Action: No quorum]***

There was not a quorum present for Rep. Ivory's motion. As an alternative, he recommended that the Committee's staff work with the staff from the Commission on Federalism to answer three questions.

1. What is the state's jurisdiction in both police power and over federal areas in the state?
2. From where is jurisdiction derived?
3. How is jurisdiction seated by the state to the federal government?